Environmental Impact Review Board

ANNUAL ACTIVITY REPORT

1988 - 1989

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by the Staff
of the
Joint Secretariat

September 1989

ENVIRONMENTAL IMPACT REVIEW BOARD

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PERIOD OF REPORT

This report describes the affairs of the Environmental Impact Review Board for the fiscal period April 1, 1988 to March 31, 1989.

AUTHORITY OF THE ENVIRONMENTAL IMPACT REVIEW BOARD

The Environmental Impact Review Board was established under the terms of the Inuvialuit Final Agreement between Canada and the Committee for Original Peoples Entitlement (COPE). The Inuvialuit Final Agreement became law under the Western Arctic (Inuvialuit) Claims Settlement Act [S.C. 32 - 33 Elizabeth II, C.24.], 28 June, 1984.

GOALS OF THE INUVIALUIT FINAL AGREEMENT

The Environmental Impact Review Board operates within the scope of the Inuvialuit Final Agreement to achieve the basic goals expressed in Section 1 of that agreement:

> To preserve the Inuvialuit cultural identity and values within a changing northern society,

> To enable the Inuvialuit to be equal and meaningful participants in the northern and national economy and society,

> To protect and preserve arctic wildlife, environment and biological productivity.

ENVIRONMENTAL IMPACT REVIEW BOARD

This Annual Activity Report is the second annual activity report of the Environmental Impact Review Board; it marks the third full year of operation of the Review Board.

As an environmental impact assessment and review body for any development referred to it pursuant to the **Inuvialuit Final Agreement**, the Environmental Impact Review Board is structured so that both parties to the Agreement are represented equally.

The Environmental Impact Review Board is composed of seven appointed members. Three members are appointed by Canada, three members are appointed by the Inuvialuit Game Council, and a Chairman is selected by the Government of Canada with the consent of the Inuvialuit Game Council.

MEMBERSHIP

During the period of this report, the following individuals comprised the Environmental Impact Review Board. [The appointing body for each member is listed in brackets.]

Chairman:

Carson Templeton (until February 6, 1989)

James Livingstone (appointed January 5, 1989)

The overlap represents a handover period required for the smooth transition from one Chairman to another.

Members:

Ewan Cotterill	(Government of Canada)
Albert Elias	(Inuvialuit Game Council)
Nelson Green	(Inuvialuit Game Council)
Ron Livingston	(Government of the Northwest Territories)
Calvin Pokiak	(Inuvialuit Game Council)
Mike Stutter	(Government of Yukon)

Secretary:

Gary Wagner	(appointed by Resolution)

CHAIRMAN'S COMMENTS

On behalf of the Review Board members, I would like to express their appreciation to Mr. Carson Templeton for all his effort and dedication in getting the Review Board organized and operational. Carson's assistance in transferring the Chairmanship has been greatly appreciated.

Although my term as the new Chairman involves only a portion of the period of this Annual Activity Report, there is one event during that time worthy of mention. During the second week in February, a two day workshop on Environmental Impact Assessment and the Public Hearing Process was held for the Review Board Members and Staff. Two very qualified individuals, Dr. Andrew Thompson and Mr. Alastair Lucas, conducted the workshop, and all participants found it very beneficial.

The activity level of the Environmental Impact Review Board will increase substantially over the next several years. A new awareness of the importance of the environment has developed, and the public are very supportive of environmental protection and conservation efforts. Politicians now realize the most important issues facing them in the 1990s are environmental issues. A tremendous amount of development activity is planned by both the private and public sectors in the next five to ten years. The oil and gas industry alone has plans to spend in excess of $15 billion on oil and gas development in the Mackenzie Delta-Beaufort Sea.

In preparing for this increase in development activity, the Review Board will be developing new operating procedures and guidelines, for both public meetings and public hearings, over the next year. The issue of wildlife compensation will have to be looked at, particularly in light of the recent Valdez disaster.

As Chairman, I will endeavour to make the roles, responsibilities and procedures of the Review Board better known to the public, government agencies, and potential developers. One of my immediate goals will be to establish a closer relationship with the staff of the Joint Secretariat, the other committees and boards set up under the Inuvialuit Final Agreement, as well as government agencies that have jurisdiction within the Inuvialuit Settlement Region.

OPERATING GUIDELINES AND PROCEDURES

Since May of 1988, the Review Board has had a set of operating guidelines and procedures. These operating guidelines and procedures have been undergoing revision, and these revisions are scheduled to be completed in the fall of 1989. Those persons interested in obtaining a copy of the Review Board's new Operating Procedures, or those individuals or organizations having questions relating to the Review Board, can write to:

Secretary
Environmental Impact Review Board
P.O. Box 2120
Inuvik, Northwest Territories.
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ADMINISTRATION OF THE BOARD

The Environmental Impact Review Board receives administrative and technical support from the Joint Secretariat in Inuvik. The Joint Secretariat also supports several other renewable resource organizations involved in joint management under the Inuvialuit Final Agreement.

The Chairman of each of the joint management bodies sit on the Board of Directors of the Joint Secretariat.

OPERATIONS

During the period of this report, the Review Board held seven two-day meetings, and continued to develop its By-Laws, procedures and methods of operation.

The administrative changes proposed to streamline Section 11 of the **Inuvialuit Final Agreement** were agreed to by the Inuvialuit Game Council, DIAND, the Environmental Impact Screening Committee, and the Environmental Impact Review Board. Implementation of those changes is presently awaiting formal amendment of the **Inuvialuit Final Agreement** by the Government of Canada.

REFERRALS

Department of National Defence: Short Range Radar Site on Herschel Island.

The Environmental Impact Screening Committee referred this submission to the Environmental Impact Review Board on September 30, 1988, for further environmental impact review and assessment.

The Review Board advised DND that an Environmental Impact Statement (EIS) would be required in order for the Review Board to prepare to hold public hearings in accordance with the **Inuvialuit Final Agreement** and the Operating Procedures of the Review Board. The Environmental Impact Statement would have to describe in detail the plan proposed for construction, operation, and abandonment of the site.

The EIS proved to be a difficult document for DND to produce, because the construction contractor had not yet been selected and it would be up to the contractor to develop the detailed construction plan for each specific site. As the proponent, DND had only prepared guidelines to direct the contractors, not the detailed information required by the Review Board. As a result, an Environmental Impact Statement was not provided.

Later, DND submitted a proposal to the Environmental Screening Committee to construct two Short Range Radar Sites on the Yukon North Slope as an alternative to the single site proposed for Herschel Island. The Screening Committee decided that the construction of these two alternate sites would not cause a significant negative environmental impact, and therefore did not refer construction of the alternate sites to the Review Board.

The consideration of the Herschel Island Short Range Radar Site proposal, therefore, is suspended indefinitely, pending reception of the EIS from the Department of National Defence. At the time of the writing of this report, it appears as though the alternate sites will be built, and the Herschel Island proposal will be withdrawn.

It is likely that the new version of the Operating Procedures will incorporate a "statute of limitations" clause to deal with situations such as this. There should be a time limit placed upon the interval between referral of a proposal from the Environmental Impact Screening Committee and holding of a public hearing/meeting. No project should be allowed to exist in limbo for more than one calendar year.

HEARINGS

No public meetings or hearings were held during the period of this report.

FINANCES

Funding for the Environmental Impact Review Board is accomplished through Contribution Agreements with the Department of Indian Affairs and Northern Development (DIAND), and the Government of the Northwest Territories (GNWT). The Government of Yukon pays for the time and the expenses of the member that it designates. The Government of Yukon also supports a Secretariat in Whitehorse that provides services similar to those supplied by the Joint Secretariat in Inuvik.

STATEMENT OF EXPENDITURE
DEPARTMENT OF INDIAN AND NORTHERN AFFAIRS
ENVIRONMENTAL IMPACT REVIEW BOARD

For the Year Ended March 31, 1989

CHAIRMAN AND INUVIALUIT	
Canada Member	9,009
General and Office	2,484
Honoraria	52,061
Legal	25,499
Telephone, Fax and Photocopying	6,654
Travel	31,053
Per Diems	2,600
ADMINISTRATION	
Consulting	1,494
General and Office	1,442
Janitorial	550
Rent	2,862
Telephone, Fax and Photocopying	4,335
Travel	3,201
Utilities	433
Wages and Benefits	26,570
TOTAL	170,247